

REMARKS

Claims 1-25 were previously pending in this application. Claims 1 and 19 have been amended. New claims 26-29 have been added. As a result, claims 1-29 are pending for examination with claims 1, 10, and 19 being independent claims. No new matter has been added.

Rejections Under 35 U.S.C. §102

The Office Action rejected claims 1-6 and 8-24 under 35 U.S.C. §102(b) as being anticipated by Fisk, Patent No. WO 00/69535 A1, (hereinafter Fisk).

Applicant respectfully submits the following remarks, traversing the rejection.

Fisk discloses a computer network which manages multiple simultaneous bingo games having a potentially large number of bingo cards. (Abstract). Fisk describes managing the computational burden associated with the multiple simultaneous bingo games by utilizing a computer network. (Fisk, p. 5 lns 6-19). Fisk also provides the ability of a player to participate in the bingo game by validating a bingo card received from a number of possible sources. (Fisk, p. 8 lns 12-13). Specifically, pre-printed bingo cards are distributed electronically to public locations, in advance of the game, for example through lottery networks to lottery machines, through ATM networks to ATMs, or by printing bingo cards in available spaces on instant lottery game pieces. (Fisk, p. 8 lns 13-16). A player ... can then validate the card to participate in a bingo game by submitting payment for the game, and the identifier of the card. (Fisk, p. 8, lns 20-21) (emphasis supplied). Subsequently, the player can discard the card, or revalidate the card for another game by a similar process. (Fisk, p. 8, lns 23-24).

Once a player has obtained a bingo card of interest, the player enters into the bingo game through one of a number of possible steps. (Fisk, p. 12, lns 25-26). Specifically, the player may enter 62 into the game using the automated teller machine network via an automated teller machine 22. (Fisk, p. 12, lns 26-27). Alternatively, players may enter 64 into the bingo game using the Internet server 15 or voice response server 26. (Fisk, p. 12, lns 30-31). In either case, the player uses an account number to pay for entry into the game. (Fisk, p. 12, lns 31-32). Players may also establish credit lines with the authority managing the bingo game and received a periodic bill for charges accrued during the previous period. (Fisk, p. 13, lns 1-3). In another approach, the player may enter into the game using the telephone response server 26 by dialing a

900 or 976 number so that the fees for entering the game are charged to the users telephone bill. (Fisk, p. 13, lns 4-6). Finally, the player may enter 68 into the game using a lottery terminal 32 in which case player 12 typically pays the proprietor of the retail site where the lottery terminal 32 is located. (Fisk, p. 13, lns 9-11). After the player has delivered payment for entering into the bingo game, the player then receives 70 a receipt for the entry. (Fisk, p. 13, lns 15-16). Fisk also disclosed pre-paid bingo card, where a player may carry the instant win ticket ... before deciding to participate in a bingo game. Then, to participate the player need only dial into the voice response server to be enrolled in the game.

In summary, Fisk discloses multiple simultaneous bingo games and facilitating a player's entry into individual bingo games using different payment method that the player can access when the player desires to enter a game.

In contrast claim 1 recites a method for conducting a plurality of game sessions. The method comprising acts of providing for, in at least one of at least two of the plurality of game sessions, a wagering game of chance, providing for an entry of at least one player in at least one of a plurality of game sessions, wherein the act of providing for an entry includes an act of providing for a subscription of the at least one player to the at least two of the plurality of game sessions, and entering the at least one player in the at least two of the plurality of game sessions, in response to processing the subscription.

Fisk does not anticipate claim 1. In particular, Fisk does not teach or suggest a method including an act of entering the at least one player in the at least two of the plurality of game sessions, in response to processing the subscription," as recited in claim 1. Rather, as discussed above, Fisk discloses providing for individual entries to individual bingo games, where each entry may be paid for using one of a variety of payment methods, (e.g. bank account or credit card, p. 12, lns 28-29, deposit account, p. 12, ln 33, credit line, p. 13, ln 1, etc.). Each of the disclosed methods allows a player to pay for a single entry into a bingo game when the player wishes to enter a game. Although these payment methods provide for later entry without additional payment, a player must still complete an entry for each individual game. (See e.g. Fisk, p. 14, lns 17-19 - "then, to participate in the game, the player need only dial into voice response server 16, deliver the identifier for the card, and will be enrolled in the game"; see also Fisk, p. 29, lns 31-33 "the [pre-paid] bingo card is entered into the current bingo game in response to user's request"). "Bingo cards may be purchased at retail locations when

convenient and later validated ... when it is desired to participate in the current bingo game.” Fisk, p. 30, lns 1-3. “A player ... may repeatedly validate that bingo card for subsequent bingo games in the same manner in which it was initially used,” in other words, the player may repeatedly enter into individual games. (Fisk, p. 30 lns 7-9). Fisk teaches that in order to participate in a single game, a player must make an affirmative act (e.g. validate the card, call into automated teller network, use the Internet, call voice response server, use a lottery terminal, etc) to enter a single game. None of the steps for entry disclosed in Fisk include an entry into multiple games. In sum, Fisk deals with individual entries at purchase and validation. Fisk does not teach or suggest a subscription to multiple games. Rather, Fisk is only concerned with facilitating individual entries to bingo games.

Therefore, Fisk does not anticipate “entering the at least one player in the at least two of the plurality of game sessions, in response to processing the subscription,” as recited in claim 1, as amended. Accordingly, withdrawal of the rejection is respectfully requested. Claims 2-9, and 26-29 depend from claim 1, and are allowable for at least the same reasons.

Independent Claim 10

Claim 10, as amended, recites a wagering game of chance executed on a computer. The wagering game of chance comprises a wagering game of chance, a means for entering multiple game sessions of the wagering game of chance, wherein the means for entering multiple game sessions further comprises a subscription, wherein the subscription comprises entry into multiple game sessions of the wagering game of chance.

As discussed above, Fisk discloses multiple simultaneous bingo games and facilitating individual player’s entries into individual bingo games. Fisk does not anticipate claim 10, as amended. In particular, Fisk does not teach or suggest a “wagering game” “wherein the subscription comprises entry into multiple game sessions of the wagering game of chance,” as recited in claim 10, as amended. Fisk is concerned with facilitating entry into individual games using multiple payment options, (see Fisk, p. 12 ln 25 – p. 13 ln 15), and does not teach or suggest “entry into multiple game sessions,” as recited in claim 10. Fisk teaches that in order to participate in a single game, a player must make an affirmative act (e.g. validate the card, call into automated teller network, use the Internet, call voice response server, using a lottery terminal, etc) to enter a single game. None of the steps for entry disclosed in Fisk include an

entry into multiple games. Accordingly, withdrawal of the rejection is respectfully requested. Claims 11-18 depend from claim 10, and are allowable for at least the same reasons.

Independent Claim 19

Claim 19 recites a computer-readable medium having computer-readable signals stored thereon that define instructions that, as a result of being executed by a computer, instruct the computer to perform a method for conducting a plurality of game sessions. The method comprises acts of providing for, in at least one of at least two of the plurality of game sessions, a wagering game of chance, providing for an entry of at least one player in at least one of a plurality of game sessions, wherein the act of providing for an entry includes an act of providing for a subscription of the at least one player to the at least two of the plurality of game sessions, and entering the at least one player in the at least two of the plurality of game sessions, in response to processing the subscription.

As discussed above, Fisk discloses multiple simultaneous bingo games and facilitating individual player's entries into individual bingo games. Fisk does not anticipate claim 19 as amended. Fisk is concerned with facilitating entry into individual games using multiple payment options, (see Fisk, p. 12 ln 25 – p. 13 ln 15), and does not teach or suggest “entering the at least one player in the at least two of the plurality of game sessions, in response to processing the subscription,” as recited in claim 19. Accordingly, withdrawal of the rejection is respectfully requested. Claims 20-25 depend from claim 19, and are allowable for at least the same reasons.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejected claims 7 and 25 under 35 U.S.C. §103(a) as being unpatentable over Fisk in view of Odom, U.S. Patent No. 6,581,935, (hereinafter Odom). Claim 7 depends from independent claim 1 which is allowable over Fisk as discussed above. As also discussed above, Fisk does not teach at least one element of independent claim 1 from which dependent claim 7 depends. Odom fails to cure this deficiency.

Odom discloses providing a first and second “winning pattern” where a player is entitled to a “second award” if a “cover all Bingo card” is obtained. (Abstract). Further, Odom describes providing a player an opportunity to make a desired wager up to a pre-selected maximum.

(Abstract). Odom is not concerned with entry into a “plurality of game sessions” including “a subscription” “to the at least two of the plurality of game session,” as recited in claim 1. Rather, Odom is directed to multiple win opportunities in a single game and providing an option for placing a desired wager. Therefore, Odom does not rectify the deficiency discussed above with respect to Fisk, and the combination does not teach or suggest claim 7, as alleged.

Applicant does not acknowledge that the combination of Fisk and Odom proposed in the Office Action is proper, and reserves the right to traverse the combination in the future. However, Applicant submits that even if one were to combine Fisk and Odom as proposed in the Office Action, the resulting combination would fail to teach or suggest at least one limitation recited in Applicant’s claim 7.

Claim 25 depends from independent claim 19 which is allowable over Fisk as discussed above. Also as discussed above, Fisk does not teach at least one element of independent claim 19 from which dependent claim 25 depends. Odom fails to cure this deficiency.

Odom is not concerned with entry into a “plurality of game sessions” including “a subscription” “to the at least two of the plurality of game session,” as recited in claim 19. Rather, Odom is directed to multiple win opportunities in a single game and providing an option for placing a desired wager. Therefore, Odom does not rectify the deficiency discussed above with respect to Fisk, and the combination does not teach or suggest claim 25, as alleged.

Applicant does not acknowledge that the combination of Fisk and Odom proposed in the Office Action is proper, and reserves the right to traverse the combination in the future. However, Applicant submits that even if one were to combine Fisk and Odom as proposed in the Office Action, the resulting combination would fail to teach or suggest at least one limitation recited in Applicant’s claim 25.

Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Mark E. Herrmann, Applicant

By: /Matthew H. Grady/
Edward J. Russavage, Reg. No. 43,069
Matthew H. Grady Reg. No. 52,957
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-7070

Docket No.: R0586-701210
Date: November 11, 2008